

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, August 4, 2008

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, J. Goodwin,  
R. Hall, K. Holt, P. Plante,

B. Ryan

Members absent: P. Kochenburger, B. Pociask

Alternates present: M. Beal, G. Lewis, L. Lombard

Staff present: C. Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 8:10 p.m. and appointed alternates Beal and Lombard to act.

#### **Minutes:**

7/21/08- Plante MOVED, Holt seconded, to approve the 7/21/08 minutes as written. MOTION PASSED with all in favor except Beal who disqualified himself.

#### **Scheduled Business:**

##### **Public Hearing:**

##### **Subdivision Application, 3 proposed lots on Stafford Rd., Unistar Properties o/a. File #1274**

Chairman Favretti opened the Public Hearing at 8:11 p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante, B. Ryan, and alternates M. Beal, G. Lewis and L. Lombard. Favretti appointed Beal and Lombard to act. Hirsch read the Legal Notice as it appeared in the Chronicle on 7/22/08 and 7/30/08, and listed the following communications received and distributed to all members of the Commission: a 7/28/08 memo from G. Padick, Director of Planning; a 7/30/08 memo from G. Meitzler, Asst. Town Engineer; a 7/30/08 memo from EHHD; and a 7/29/08 memo from J. Jackman, Fire Marshal.

Attorney Samuel Schrager, representing the applicant, submitted return receipts verifying neighbor notification and requested that the testimony presented in the IWA hearing be entered into the record of the PZC hearing. Schrager noted that the DEP Database inquiry has

been requested and it is expected by the end of next week. He asked that the Public Hearing be continued to 9/2/08 to allow adequate time to receive and review the DEP response.

Paul Magyar, of Lenard Engineering, reviewed comments raised in staff reports, noting that he had not obtained a copy of the Fire Marshal's report. Hirsch stated the Fire Marshal's report raised no concerns. Magyar stated that the E.H.H.D. is requiring additional test pits to be done within the next week, and noted that a supplemental memo from the Health Department is expected prior to the next meeting. Magyar said he would like clarification regarding Padick's comments on the cut and fill amounts.

Hall expressed concern that the applicant did not disclose to Mrs. Taylor during the IWA hearing that the EHHD required additional test pits to be dug and that the EHHD has not signed off on the proposal.

Hirsch referred to sheet 6 of 8 and noted Mr. Padick's concern regarding any disturbance of stonewalls near the driveway of lot #3. Magyar indicated that he can curve the driveway away from the stone wall to minimize disturbance.

William Barna, Quail Run, asked what size the buffer will be between the proposed parcels and the existing homes on Quail Run, and will trees be left standing in the buffer.

Favretti noted no further questions or comments from the public or the Commission. Gardner MOVED, Lombard seconded, to continue the Public Hearing until 9/2/08. MOTION PASSED UNANIMOUSLY.

**Public Hearing:**

**Special Permit Application, Single Family Residence with an Efficiency Unit, 648 Storrs Rd.,**

**J. Sabo o/a, File #1273**

Chairman Favretti opened the Public Hearing at 8:40 p.m. Members present were R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Plante, B. Ryan, and alternates M. Beal, G. Lewis and L. Lombard. Favretti appointed Beal and Lombard to act. Hirsch read the Legal Notice as it appeared in the Chronicle on 7/22/08 and 7/30/08, and listed the following communications received and distributed to all members of the

Commission: a 7/28/08 memo from G. Padick, Director of Planning; a 7/10/08 memo from EHHD; and a 7/31/08 letter from Jason Sabo which was distributed this evening.

Jason Sabo, owner and applicant of the proposed efficiency unit at 648 Storrs Road, submitted return receipts verifying neighbor notification and requested that the PZC close the Public Hearing this evening due to a time constraint and special family circumstances.

Holt and Gardner queried the applicant about compliance of regulations and received satisfactory answers.

Favretti noted no further questions or comments from the public or the Commission. Plante MOVED, Holt seconded, to close the Public Hearing at 8:46p.m. MOTION PASSED UNANIMOUSLY.

Then Holt MOVED, Plante seconded, to approve with conditions the special permit application (file #1273), of J. Sabo, for an efficiency apartment on property located at 648 Storrs Road, in an RAR-90 zone, as submitted to the Commission and shown on a 7/2/08 site plan and undated floor plans, and other applicant submissions, and as presented at a Public Hearing on 8/4/08.

This approval is granted because the application, as hereby approved, is considered to be in compliance with Article X, Section M, Article V, Section B, and other provisions of the Mansfield Zoning Regulation, and is granted with the following conditions:

1. This approval is granted for a one-bedroom efficiency unit in association with an existing single-family home having up to four additional bedrooms. Any increase in the number of bedrooms on this property shall necessitate subsequent review and approval from Eastern Highlands Health District and the Planning and Zoning Commission;
2. This approval is conditioned upon continued compliance with Mansfield's zoning regulations for efficiency units, which include owner-occupancy requirements and limitations on the number of residents in an efficiency unit;
3. This special permit shall not become valid until filed upon the Land Records by the applicant.

MOTION PASSED UNANIMOUSLY.

**Zoning Agent's Report:**

Items A - C were noted.

D. Thompson Property Update

Hirsch summarized his memo; extensive discussion followed.

Members requested that staff include in the next packet the previous approval motion. Members tabled this item to the next meeting to allow the neighbors adequate time to respond.

**Old Business:**

**1. 11 lot Subdivision Application, Wormwood Hill and Knowlton Hill Rds, Green o/a, File #1269**

Discussion was held regarding concern for the old stone wall surrounding the historic McDaniels home.

Holt, Beal, Lombard, Favretti, Goodwin and Gardner agreed to the elimination of lot 3 and allotting its land to adjoining lots, or to open space, thus preserving the integrity of the homestead lot. Beal volunteered to work with staff to create a draft motion.

**2. Town Council Referral: White Oak Condominiums, Proposed Sewage Disposal System on Town Land**

Hirsch noted memos from the Director of Planning, EHHD, Conservation Commission, Open Space Preservation Commission, and Parks Advisory Committee. S. Lehman, representing the Conservation Commission, distributed a report of issues raised by that Commission. Extensive discussion followed, and the consensus of the PZC was that members did not want to set a precedent which would allow private use of Town-owned land. Lewis questioned what the other alternatives to this proposal were. Goodwin MOVED, Hall seconded, that in accordance with Connecticut General Statute Section 8-24, in response to the 6/23/08 Town Council referral regarding the White Oak Condominium Association Inc.'s request for permission to install a leaching field on a portion of Town-owned land to rectify sewage disposal problems at the complex, the Planning and Zoning Commission reports to the Town Council that it does not support the use of the Town-owned Dunham Town Forest or the granting of an easement on this property to White Oak Condominium Association Inc., for use in the installation of its sanitary sewer system inasmuch as the Planning and Zoning Commission does not support the use of Town-owned open space parcels for private use. MOTION PASSED UNANIMOUSLY.

3. **PZC-Proposed revisions to the Zoning Map and Zoning Regulations, File #907-30**

Item tabled.

4. **Modification Application, 476 Storrs Road, M. & M. Healey o/a. File #819**

Plante MOVED, Holt seconded, that the PZC Chairman and Zoning Agent be authorized to approve the 6/15/08 request of M. Healey for site and use revisions at 476 Storrs Road, subject to the following conditions:

1. All parking spaces in non-paved areas shall be delineated with wheel stops or other measures approved by the Zoning Agent and PZC Chairman.
2. No segment of the proposed driveway shall be less than twenty (20) feet in width.
3. Proposed signage shall be approved in advance by the Zoning Agent and PZC Chairman and shall meet the construction, lighting and landscaping provisions of Article X, Section C. 10, 11 and 12.
4. Except as modified by this action, all other conditions of approval shall remain in effect.

MOTION PASSED UNANIMOUSLY.

**New Business:**

1. **Special Permit Application, St. Paul's Collegiate Church, 1768 Storrs Rd., B.T. Partners, LLC o/a, File # 1275**

Holt MOVED, Lombard seconded, to receive the Special Permit application (File #1275) submitted by B.T. Partners, LLC, for a 240-seat church, on property located at 1768 Storrs Road, owned by the applicant, as shown on plans dated July 14, 2008, and as described in other application submissions, and to refer said application to the staff for review and comments, and to set a Public Hearing for September 2, 2008. MOTION PASSED UNANIMOUSLY.

2. **Site Modification Application, St. Mark's Chapel, 42 N. Eagleville Rd., Parking Lot Improvements, File # 1176**

Holt MOVED, Lombard seconded, to receive the site plan modification application (File #1176) submitted by Mark A. Boyer for improvements to the parking lot at St. Marks Chapel, on property located at 42 North Eagleville Road, owned by the Missionary Society of Episcopal Diocese of CT, as shown on plans dated July 25, 2008, and as described in other application submissions, and to refer said application to the staff for review and comments. MOTION PASSED UNANIMOUSLY.

3. **Site Modification Application, Motorcycle Consultant, LLC, E. Chovnick, owner, B. Chovnick, applicant, 213 Stafford Road, showroom expansion, File #827-3**

Holt MOVED, Lombard seconded, to receive the site plan modification application (File #827-3) submitted by Benjamin Chovnick for site improvements and a showroom addition, on property located at 213 Stafford Road, owned by the applicant, as shown on plans dated July 28, 2008, and as described in other application submissions, and to refer said application to the staff and Design Review Panel for review and comments. MOTION PASSED UNANIMOUSLY.

**Reports of Officers and Committees:**

Favretti noted an 8/26/08 field trip at 1:30 p.m.

**Communications and Bills:**

Items were noted.

**Adjournment:**

Favretti declared the meeting adjourned at 9:47 p.m.

Respectfully submitted,  
Katherine K. Holt, Secretary